

DISCLAIMER

This electronic version of an SCC order is for informational purposes only and is not an official document of the Commission. An official copy may be obtained from the [Clerk of the Commission, Document Control Center](#).

COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, SEPTEMBER 14, 2000

APPLICATION OF

SERVISENSE.COM OF VIRGINIA, INC.

CASE NO. PUC000173

For a certificate of public
convenience and necessity
to provide local exchange
telecommunications services

ORDER FOR NOTICE AND HEARING

On September 5, 2000, ServiSense.com of Virginia, Inc.
("ServiSense" or "Applicant"), filed an application for a
certificate of public convenience and necessity ("certificate")
requesting authority to provide local exchange
telecommunications services throughout the Commonwealth of
Virginia.

NOW UPON CONSIDERATION of the filing, the Commission is of
the opinion that ServiSense's application should be docketed;
that the Applicant should give notice to the public of its
application; that the Commission Staff should conduct an
investigation into the reasonableness of the application and
present its findings in a Staff Report; and that a public
hearing should be convened to receive evidence relevant to
ServiSense's application.

Accordingly, IT IS ORDERED THAT:

(1) This case is docketed and assigned Case No. PUC000173.

(2) A public hearing for the purpose of receiving evidence relevant to ServiSense's application is scheduled for December 12, 2000, at 10:00 a.m. in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia.

(3) On or before October 26, 2000, the Applicant shall complete publication of the following notice to be published on one (1) occasion as classified advertising, in newspapers having general circulation throughout the Applicant's proposed service territory:

NOTICE TO THE PUBLIC OF AN APPLICATION
BY SERVISENSE.COM OF VIRGINIA, INC., FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY TO PROVIDE LOCAL EXCHANGE
TELECOMMUNICATIONS SERVICES THROUGHOUT THE
COMMONWEALTH OF VIRGINIA
CASE NO. PUC000173

On September 5, 2000, ServiSense.com of Virginia, Inc. ("ServiSense" or "Applicant"), filed an application for a certificate of public convenience and necessity ("certificate") requesting authority to provide local exchange telecommunications services throughout the Commonwealth of Virginia.

A public hearing on ServiSense's application will be convened on December 12, 2000, at 10:00 a.m. in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia, to hear evidence relevant to its

application for a certificate to provide local exchange telecommunications services.

Copies of the application are available for public inspection between the hours of 8:15 a.m. and 5:00 p.m., Monday through Friday, in the Commission's Document Control Center located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia, or can be ordered from ServiSense's counsel, Charles H. Helein, Esquire, The Helein Law Group, P.C., 8180 Greensboro Drive, Suite 700, McLean, Virginia 22102.

Any person desiring to comment in writing on ServiSense's application may do so by directing such comments on or before November 14, 2000, to the Clerk of the Commission at the address listed below. Written comments must refer to Case No. PUC000173.

Any person desiring to make a statement at the public hearing concerning ServiSense's application need only appear in the Commission's second floor courtroom at 9:45 a.m. on the day of the hearing and identify himself or herself as a public witness to the Commission's Bailiff.

Any person who expects to submit evidence, cross-examine witnesses, or otherwise participate in the proceeding as a Protestant, pursuant to Rule 4:6 of the Commission's Rules of Practice and Procedure, should promptly obtain a copy of the Order for Notice and Hearing from the Clerk of the Commission for full details of the procedural schedule and instructions on participation.

Individuals with disabilities who require an accommodation to participate in the hearing should contact the Commission at least seven (7) days before the scheduled

hearing date at 1-800-552-7945 (voice) or 1-804-371-9206 (TDD).

All written communications to the Commission concerning ServiSense's application should be directed to Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218, and should refer to Case No. PUC000173.

SERVISENSE.COM OF VIRGINIA, INC.

(4) On or before October 26, 2000, Applicant shall provide a copy of the notice contained in ordering paragraph (3) to each local exchange telephone carrier certificated in Virginia and each interexchange carrier certificated in Virginia by personal delivery or first-class mail, postage prepaid, to the customary place of business or residence of the person served. Lists of all current local exchange and interexchange carriers in Virginia are attached to this Order as Appendices A and B, respectively.

(5) On or before November 1, 2000, the Applicant shall prefile with the Commission an original and fifteen (15) copies of any additional direct testimony it intends to present at the public hearing. Copies shall also be served on any person who files a Notice of Protest.

(6) Any person desiring to comment in writing on ServiSense's application may do so by directing such comments on or before November 14, 2000, to the Clerk of the Commission, c/o

Document Control Center, P.O. Box 2118, Richmond, Virginia 23218. Comments must refer to Case No. PUC000173. Any person desiring to make a statement at the public hearing concerning the application need only appear in the Commission's second floor courtroom at 9:45 a.m. on the day of the hearing and identify himself or herself to the Bailiff as a public witness.

(7) On or before November 14, 2000, any person desiring to participate as a Protestant as defined in Rule 4:6 of the Commission's Rules of Practice and Procedure ("Rules") shall file an original and fifteen (15) copies of a Notice of Protest as provided in Rule 5:16(a) and shall serve a copy of the same on ServiSense's counsel, Charles H. Helein, Esquire, The Helein Law Group, P.C., 8180 Greensboro Drive, Suite 700, McLean, Virginia 22102.

(8) Any person who expects to submit evidence, cross-examine witnesses, or otherwise participate in the proceeding as a Protestant pursuant to Rule 4:6 shall file on or before November 14, 2000, an original and fifteen (15) copies of its Protest with the Clerk of the Commission at the address listed above, referring to Case No. PUC000173, and shall on the same day mail a copy thereof to ServiSense's counsel, Charles H. Helein, Esquire, The Helein Law Group, P.C., 8180 Greensboro Drive, Suite 700, McLean, Virginia 22102, and to any other Protestants. The Protest shall set forth (i) a precise

statement of the interest of the Protestant in the proceeding;
(ii) a full and clear statement of the facts which the
Protestant is prepared to prove by competent evidence; and
(iii) a statement of the specific relief sought and the legal
basis therefor. Any corporate entity that wishes to submit
evidence, cross-examine witnesses, or otherwise participate as a
Protestant must be represented by legal counsel in accordance
with the requirement of Rule 4:8 of the Commission's Rules.

(9) On or before November 14, 2000, each Protestant shall
file with the Clerk of the Commission an original and fifteen
(15) copies of the prepared testimony and exhibits the
Protestant intends to present at the hearing and shall on the
same day mail a copy of the same to counsel for ServiSense and
other Protestants. Service upon counsel for ServiSense shall be
made at the address set forth above.

(10) The Commission Staff shall analyze the reasonableness
of ServiSense's application and present its findings in a Staff
Report to be filed on or before November 29, 2000.

(11) On or before November 29, 2000, if necessary, the
Commission Staff may file with the Clerk of the Commission an
original and fifteen (15) copies of any prepared testimony and
exhibits it intends to present at the public hearing. A copy of
the Staff's direct testimony shall be mailed to the counsel for
the Applicant and to each Protestant.

(12) On or before December 7, 2000, the Applicant shall file with the Clerk of the Commission an original and fifteen (15) copies of any testimony it expects to introduce in rebuttal to any direct prefiled testimony of Staff and Protestants. A copy of the rebuttal testimony shall be mailed to Staff and each Protestant by overnight delivery.

(13) On or before December 1, 2000, the Applicant shall file with the Commission proof of notice and proof of service as ordered herein.

(14) The Applicant shall respond to written interrogatories or data requests within seven (7) days after the receipt of the same. Protestants shall provide to the Applicant, other Protestants and Staff any workpapers or documents used in preparation of their prefiled testimony, promptly upon request. Except as so modified, discovery shall be in accordance with Part VI of the Rules.